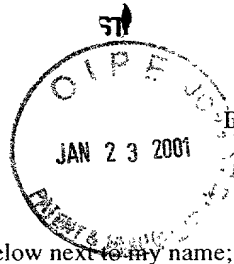


## COMBINED DECLARATION AND POWER OF ATTORNEY



Docket Number: 902.739

As a below named inventor, I hereby declare that:

- my residence, post office address and citizenship are as stated below next to my name;
- I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **"METHOD FOR TRANSMITTING DATA PACKETS AND NETWORK ELEMENT FOR CARRYING OUT THE METHOD"**,
- the specification of which is attached hereto unless the following box is checked: ☒; and
- that the application was filed on **September 9, 1998** as U.S. Application Number **09/150,150** or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application                   |                             |  | Priority Not Claimed     |
|---|-----------------------------|--|--------------------------|
| <b>197 40 107.4</b><br>(Application Number) | <b>Germany</b><br>(Country) | <b>12/9/1997</b><br>(Day/Month/Year Filed) | <input type="checkbox"/> |
| (Application Number)                        | (Country)                   | (Day/Month/Year Filed)                     | <input type="checkbox"/> |

To the extent permitted by rule or law, I hereby incorporate by reference the Prior Foreign Application(s) listed above.

I hereby claim the benefits under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

|                                  |                        |
|----------------------------------|------------------------|
| (Provisional Application Number) | (Day/Month/Year Filed) |
| (Provisional Application Number) | (Day/Month/Year Filed) |

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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT International filing date of this application.

|                      |                        |  |
|----------------------|------------------------|--|
| (Application Number) | (Day/Month/Year Filed) | (Status--patented, pending, abandoned) |
| (Application Number) | (Day/Month/Year Filed) | (Status--patented, pending, abandoned) |

I hereby appoint the attorney(s) and/or agent(s) assigned to the customer number listed below, as may from time to time be amended, belonging to the firm of **Ware, Fressola, Van Der Sluys & Adolphson LLP**, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number

4955



4955

Address all telephone calls to: Ware, Fressola, Van Der Sluys & Adolphson LLP at (203) 261-1234. Address all correspondence to:

Customer Number

4955



4955

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Volkmar HEUER**

Full name of sole or first inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)

*Volkmar Heuer*

Inventor's Signature

Sept. 30, 1998

Date

**Ditzingen, Germany**

Residence

**German**

Citizenship

Post Office Address: **Erich-Kästner-Strasse 9, 71254 DITZINGEN, Germany**

Full name of second inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)

Inventor's Signature

Date

Residence

Citizenship

Post Office Address:

Full name of third inventor (given name, middle initial, FAMILY NAME(S) IN UPPER CASE)

Inventor's Signature

Date

Residence

Citizenship

Post Office Address:

☐ Additional inventors are being named on separately numbered sheets attached hereto.

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ASSIGNMENT AND AGREEMENT

FOR VALUE RECEIVED, I, Volkmar HEUER, citizen of Germany, and residing at Erich-Kästner-Strasse 9, 71254 DITZINGEN, Federal Republic of Germany, hereby sell, assign and transfer to ALCATEL, a corporation duly organized and existing under the laws of France and having a principal place of business at 54, rue La Boétie, 75008 PARIS, France, as assignee, and its successors, assigns and legal representatives, the entire right, title and interest, in and to certain inventions relating to improvements in METHOD FOR TRANSMITTING DATA PACKETS AND NETWORK ELEMENT FOR CARRYING OUT THE METHOD, which is described in an application for Letters Patent of the United States, Serial No. 09/150,150, filed on September 9, 1998 and identified by Ware, Fressola, Van Der Sluys and Adolphson docket number 902.739; and all the rights and privileges under any and all Letters Patent that may be granted therefor.

I request that any and all patents for said invention be issued to said assignee, its successors, assigns and legal representatives or to such nominees as it may designate.

I agree that, when requested, I will, without charge to said assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in the United States and for vesting title thereto in said assignee, its successors, assigns and legal representatives or nominees.

I authorize and empower the said assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file a like document which may be required for any purpose and more particularly in proof of the right of the said assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

I covenant with said assignee, its successors, assigns and legal representatives that the rights and property herein conveyed are free and clear of any encumbrance, and that I have full right to convey the same as herein expressed.

Signed at Stuttgart, Germany, this 1st day of February, 1999.

*Volkmar Heuer*

(Volkmar HEUER)

Signed in our presence and acknowledged to be an assignment of the application (invention) herein above referred to.

Witness: *Petra Schützinger*  
(Petra SCHÜTZINGER)

Date: February 1, 1999

Witness: *E. Uichter-Korb*  
(Edeltraud KUCHTA-KORB)

Date: February 1, 1999

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